

To: Kluesner, Dave[kluesner.dave@epa.gov]
From: Judith S. Weis
Sent: Mon 4/15/2013 8:22:34 PM
Subject: Re: The Star Ledger: The Attempted Murder of the Passaic River: Moran

>This is excellent publicity. Is there anything I can do to help?

http://blog.nj.com/njv_tom_moran/2013/04/the_attempted_murder_of_the_pa.html

> The attempted murder of the Passaic River: Moran

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> By Tom Moran/ The Star-Ledger

> <<http://connect.nj.com/user/tmoran/posts.html>> The Star-Ledger

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> [jackson-passaic.JPG] "The credibility of the EPA'S ability to handle

> these big river cleanups is at stake," says Lisa Jackson, the recently

> departed head of the EPA, shown here with President Obama. Jeff

> Haynes-Pool/Getty Images

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> A half-century has passed since workers at Diamond Shamrock were ordered

> to dump dioxin into the Passaic River in Newark, and then to march out at

> low tide and knock down the toxic mud piles with rakes so that no one

> would know.

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> So began the long history of polluters evading responsibility for the

> murder of this river, an effort that continues to this day. Workers with

> rakes have been replaced by consultants and lawyers.

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> And as polluters clean up their messes in places like the Hudson River and

> the Great Lakes, the Passaic remains an industrial dead zone, where

> fishing and swimming are off limits, and even boats are a rarity.

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> With each tide, year after year, the dioxin sloshes up and down the river

> and into Newark Bay. It poisons the worms and crabs that crawl through the

> tainted muck, and then poisons the birds and fish that eat them.

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> "When I grew up here, we just never went near it, and I lived three

> blocks away," says Ana Baptista of Newark's Ironbound community. "It

> was far off limits, so dirty you wouldn't even touch it. And there was no

> way to get down close to it. It was like the ugly stepsister of the

> Hudson."

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> If that makes you furious, it should. Because this river is owned by the

> public, and it could be an ornament to this region of the state.

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> It could be lined with parks, with pleasure boats tied up at wooden docks.
> It could be a place where couples get dinner and go for a stroll, where
> kids fly kites and eat ice cream, where people would pay extra for the
> privilege of living in a small apartment nearby. That's all happening in
> other cities.
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> °The people of New Jersey were deprived of a valuable resource,± says
> Alan Steinberg, the regional director of the Environmental Protection
> Agency under President George W. Bush. °The damage has been terrible, and
> it has to be remedied. What I'd hope is that (the polluters) get a sense
> of reality and realize they can run but they can't hide. Eventually they
> will be made to pay.±
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> So far, though, the polluters have agreed only to clean hot spots in two
> locations. And the Obama and Christie administrations say that simply will
> not do.
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> The Passaic, they say, needs to be dredged from one bank to the other, for
> the lower eight miles at least, and capped with two feet of coarse sand.
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> The cost could rise to a staggering \$3.5 billion. And that's why the
> high-priced consultants and lawyers have spent years doing all they can to
> delay and shrink the cleanup.
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> So far, the polluters are winning and the river is losing. But another
> showdown looms later this year, when the EPA is expected to issue its
> definitive cleanup plan. Even then, dredging wouldn't begin until 2018,
> after public comment, revisions and engineering work.
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> °The credibility of the EPA's ability to handle these big river cleanups
> is at stake,± says Lisa Jackson, the recently departed head of the EPA.
> °It's disappointing and really frustrating to know that this many years
> have gone by.±
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> DIRTY DEEDS
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> Diamond Shamrock and its corporate successors are the lead villains in
> this story. The Newark factory, which produced Agent Orange, is now a
> giant concrete bunker on the western bank of the river.
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> The company knew even in the 1950s that dumping dioxin was illegal, and
> set up an alarm system to warn employees when inspectors were sniffing
> around. If there is a hell, then it's made for people like this.
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> But dioxin is not the only problem in the Passaic. The EPA has identified
> dozens of companies that contributed to the river's woes, and several
> public sewer systems.
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> That presented a golden opportunity for delay, because there is a valid
> argument about who should pay what share of the cleanup. So Diamond
> Shamrock's successors filed suit to drag in the other polluters.
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> This takes a page from the fabled Roman senators who murdered Julius
> Caesar. Because each senator plunged in the knife, the hope was that it
> would be impossible to know which wound killed the tyrant.
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> That won't work in the end, because no one disputes that dioxin is the
> key issue in the Passaic. It was Diamond Shamrock that killed this river.
> And if the companies don't agree to cost-sharing, the law allows the EPA
> to do the work itself and collect triple damages from the polluters. It's
> unlikely they will risk that.
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> For now, though, the polluters are split into two camps. Diamond
> Shamrock's successor corporations are in one, and are mostly defiant. The
> others have formed a coalition known as the Cooperating Parties Group and
> have been more forthcoming.
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> Still, the CPG is pushing aggressively to scale back the cleanup plan and
> reduce its costs. It has been meeting with community groups and local
> politicians, persuading some to write letters to the EPA urging the agency
> to back off.
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> In these same meetings, the CPG has offered to fund local projects as a
> sweetener. And this being Jersey, the money has been persuasive. One
> letter came from Hudson County, which got \$50,000 for open space. Another
> came from Sen. Paul Sarlo (D-Bergen), whose towns got \$175,000 in grants.
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> The CPG has hired experts to pitch a smaller cleanup focused on hot spots.
> They want the EPA to delay the release of its dredging plan until the CPG
> alternative is ready in 2015. And they are trying to sow regional
> divisions by claiming that the EPA's plan will worsen pollution in its
> upper reaches by stirring up pollutants.
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> That is all self-serving nonsense, according to federal and state
> regulators. The Obama and Christie administrations agree that bank-to-bank
> dredging is the only adequate answer. So did the administrations of Jon
> Corzine and George W. Bush.
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> i°We are in lockstep agreement with the EPA on that,i± says Bob Martin,
> commissioner of the state Department of Environmental Protection.
> i°Cleaning just hot spots is absolutely not adequate and not acceptable.
> This is the most contaminated site with dioxins anywhere in the world.i±
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> LIVING PROOF
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> Look to the Hudson for proof that dead rivers can indeed come back to
> life. You have to remove the industrial pollutants, treat the sewage and
> control the runoff.
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> But communities along the Hudson got their river back. Fish species that
> had disappeared are back in abundance. Kids are swimming again. Green
> parks line the river banks. Restaurants and apartments have sprung up
> everywhere.
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> Baptista works with the Ironbound Community Corporation, which pushed the
> city and county governments to save some parkland along the Passaic in
> Newark. Iti's a start. But she sees a day when the riverfront will be
> thriving, once the toxins are gone.
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> i°My greatest wish is that we doni't have another generation growing up
> not being able to appreciate the river,i± she says. i°Thati's really from
> the heart.i±
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> Tom Moran may be reached at tmoran@starledger.com or (973)
> 392-
5728[X]<http://blog.nj.com/njv_tom_moran//print.html?entry=/2013/04/the_attempted_murder_of_the_pa.html#>.
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